

U.S. Patent Application Serial No. 10/662,450
Amendment filed June 7, 2007
Reply to OA dated January 9, 2007

REMARKS

Claims 9-12 are pending in this application. In the present amendment, Claim 9 has been amended, and new claim 15 has been added. Upon entry of this amendment, claims 9-12 and 15 will be pending.

The Applicant respectfully submits that no new matter has been added.

The amendment to claim 12, which adds the recitation that the target concentration is “predetermined” and that the step of determining an initial mixing amount is performed “intentionally” is supported by the disclosure in the specification, as discussed below.

Support for new claim 15 may be found in the specification at the paragraphs starting from page 8, line 28 to page 9, line 26, and the paragraph starting on page 15, line 8.

It is believed that this Amendment is fully responsive to the Office Action dated **January 9, 2007**.

Claims 9-12 remain rejected under 35 U.S.C. 102(e) as being anticipated by Lai (U.S. 6,721,628). (Office action paragraphs no. 3-5)

Reconsideration of the rejection is respectfully requested in view of the clarifying amendment to claim 9.

Claim 9 is amended to clarify that the target value is the **predetermined** target value of the oxidizing agent in the slurry that is to be prepared. Claim 9 is further amended to clarify that the

initial mixing amount of the oxidizing agent to be supplied to a preparation tank is **intentionally** determined such that it is less than the amount required for the oxidizing agent to match the predetermined target concentration of the oxidizing agent in the slurry. These amendments are supported by the general disclosure of the present method in the specification.

The Examiner asserts that Lai states in the abstract that the calculation is performed based on the concentration of the tank and the level of the fluid in the tank. However, the calculation of Lai pointed out by the Examiner does not determine the **initial** mixing amount of the oxidizing agent to be supplied to the preparation tank, as defined in claim 9. In Lai, the calculation pointed out by the Examiner calculates a **supplementary quantity** of oxidant into the distribution tank **based on the concentration of the tank and the level of the fluid in the tank**. (See the last sentence of Lai abstract.) In Lai, an **initial** mixing amount of the oxidizing agent has already been placed in the tank at the timing of performing the calculation pointed out by the Examiner. Therefore Lai does not disclose or suggest the first step of claim 9.

In addition, Lai does not suggest **intentionally** determination (setting) of the initial mixing amount to be **less than** the amount required for the oxidizing agent to match the predetermined target concentration of the oxidizing agent in the slurry. Lai merely teaches that a supplementary quantity of oxidant, which compensates for the decomposition or consumption amount of the oxidizing agent, is supplied into the distribution tank. In the embodiment of Fig. 2 of Lai, the concentration of oxidant in the tank 250 must be adjusted substantially equal to the target concentration. Otherwise,

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it requires a considerably long period of time to make oxidant concentration in the system consisting of the blend tank, 25, the distribution tank, 260 and the closed loop 400 equal to the target concentration. The same is true in the embodiment of Fig. 3 of Lai. Therefore Lai suggests that the initial mixing amount is intentionally determined (set) **equal to** the amount required for the oxidizing agent to match the predetermined target concentration of the oxidizing agent in the slurry.

Accordingly, base claim 9 and dependent claims 10-12 are not anticipated by, and are not obvious over, Lai (U.S. 6,721,628). Likewise, new claim 15, being dependent from claim 9, is also not anticipated by and not obvious over Lai.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicant's undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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Enclosures: Petition for Extension of Time

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